

September 18, 2003

Mail Stop Patent Application
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450



Re: Applicant(s): Vargas, Jaime; et. al.
 Assignee: Cardica, Inc.
 Title: Method For Sutureless Connection of Vessels
 Customer No.: 33109

Dear Sir:

This is a request for filing a **continuation** application under 37 CFR 1.53(b) of pending U.S. Patent Application serial no. **09/664,589**, filed on September 18, 2000 by the following named inventors:

- (a) Vargas, Jaime;
- (b) Yencho, Stephen A.;
- (c) Nielsen, Jamey;
- (d) Hendricksen, Michael;
- (e) Hausen, Bernard A.

Small entity status is hereby claimed.

Enclosed is a copy of the prior U.S. Patent Application serial no. 09/664,589 as originally filed on September 18, 2000, including copies of the specification and drawings. The enclosed patent application includes a new set of claims and a first page that has been revised to claim priority to the parent application and to revise the title of the application, in accordance with 1251 Off. Gaz. Pat. Office 54 (October 9, 2001). A copy of the executed oath or declaration as filed in U.S. Pat. No. 6,428,550 (serial no. 09/314,278), which is the parent application to U.S. Patent Application Serial No. 09/664,589, is also enclosed.

Assignment to Vascular Innovations, Inc. of U.S. Pat. No. 6,428,550, which is the parent application to U.S. Patent Application Serial No. 09/664,589, is recorded at reel 010525, frame 0609. The change of name from Vascular Innovations, Inc. to Cardica, Inc. in U.S. Pat. No. 6,428,550 is recorded at reel 012563, frame 0861.

The power of attorney in the prior application is to Brian A. Schar, Reg. No. 45,076, and Mark Meltzer, Reg. No. 28,739. Please address all communications to:

Brian A. Schar
Chief Patent Counsel
Cardica, Inc.
900 Saginaw Drive
Redwood City, California 94063

09/18/03
16085 U.S. PRO

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter;
- (2) Return postcard; and
- (3) Copy of U.S. Patent Application Serial No. 09/664,589 as filed, including originally-filed declaration, with revised first page and a new set of claims.

The fee has been calculated as shown below:

CLAIMS

Claims Remaining <u>After Amendment</u>			Highest No. <u>Paid For</u>		Present <u>Extra</u>		<u>Rate</u>		<u>Fee</u>		
Basic Application Fee									375.00		
Total Claims	21	Minus	20	=	1	x	\$9	\$	9.00		
Independent Claims	1	Minus	3	=	0	x	\$42	\$	0.00		
<input type="checkbox"/>	Fee of _____ for the first filing of one or more multiple dependent claims per application							\$			
<input type="checkbox"/>	Fee for Request for Extension of Time							\$	0.00		
<input checked="" type="checkbox"/>	Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.										
<input checked="" type="checkbox"/>	Please charge our Deposit Account No. 502108 in the amount of							\$	<u>384.00</u>		
<input checked="" type="checkbox"/>	Please charge any additional fees required and credit any overpayment to our Deposit Account No. 502108.										
								Total:	\$	384.00	

Allowance of the pending claims is respectfully requested.

**Express Mail Label No.
EV302958345US**

Respectfully submitted,



Brian A. Schar
Attorney for Applicant(s)
Reg. No. 45,076
(650) 331-7162